

HB1317_L.027

HOUSE COMMITTEE OF REFERENCE AMENDMENT

Committee on Finance.HB13-1317 be amended as follows:

- 1 Amend printed bill, page 11, line 4, after "(b)" insert "(I) (A)".
- 2 Page 11, strike line 6 and substitute "MAY SUBMIT NOTICE OF INTENT TO
3 APPLY FOR LICENSURE PURSUANT TO THIS ARTICLE. THE STATE LICENSING
4 AUTHORITY SHALL ESTABLISH A FORM FOR THE NOTICE AND MAY COLLECT
5 A NOTICE FEE THAT SHALL BE DEDUCTED FROM THE AMOUNT OF THE
6 LICENSE FEE. THE STATE LICENSING AUTHORITY SHALL FORWARD TO THE
7 LOCAL JURISDICTION THE NOTICE OF INTENT TO APPLY AND ONE-HALF OF
8 THE NOTICE FEE.
- 9 (B) THIS SUBPARAGRAPH (I) IS REPEALED, EFFECTIVE JULY 1, 2015.
- 10 (II) ON AND AFTER JULY 1, 2014, PERSONS WHO DID NOT MEET THE
11 REQUIREMENTS OF SUBSECTION (I) OF PARAGRAPH (a) OF THIS SUBSECTION
12 (1) MAY APPLY FOR LICENSURE PURSUANT TO THIS ARTICLE."
- 13 Page 11, line 14, after "(b)" insert "(I)".
- 14 Page 11, line 17, after "APPLICATION." add "THE STATE LICENSING
15 AUTHORITY SHALL PROCESS APPLICATIONS IN THE ORDER IN WHICH
16 COMPLETE APPLICATIONS ARE RECEIVED BY THE STATE LICENSING
17 AUTHORITY."
- 18 Page 11, after line 17, insert:
- 19 "(II) (A) THE STATE LICENSING AUTHORITY SHALL PROVIDE
20 PREFERENCE TO APPLICANTS WHO SUBMITTED A NOTICE OF INTENT TO
21 APPLY PURSUANT TO SUBPARAGRAPH (I) OF PARAGRAPH (b) OF
22 SUBSECTION (1) OF THIS SECTION.
- 23 (B) THIS SUBPARAGRAPH (II) IS REPEALED, EFFECTIVE JULY 1,
24 2015."
- 25 Page 12, after line 17 insert:
- 26 "(6) (a) ON OR BEFORE APRIL 1, 2014, THE STATE LICENSING
27 AUTHORITY SHALL SUBMIT A REPORT TO THE FINANCE COMMITTEES OF THE
28 SENATE AND HOUSE OF REPRESENTATIVES, OR ANY SUCCESSOR
29 COMMITTEES, ON THE STATUS OF APPLICATIONS FOR LICENSURE UNDER
30 THIS ARTICLE, INCLUDING BUT NOT LIMITED TO THE NUMBER OF
31 APPLICATIONS RECEIVED, THE NUMBER OF APPLICATIONS APPROVED BY

1 THE STATE, THE NUMBER OF APPLICATIONS DENIED BY THE STATE, THE
2 NUMBER OF APPLICATIONS PENDING, AND THE NUMBER OF NOTICES OF
3 INTENT TO APPLY RECEIVED.

4 (b) THIS SUBSECTION (6) IS REPEALED, EFFECTIVE JULY 1, 2014."

5 Page 13, strike lines 21 through 24 and substitute:

6 "(b) PROMULGATE ON OR BEFORE JULY 1, 2013, ALL RULES FOR THE
7 PROPER REGULATION AND CONTROL OF THE CULTIVATION, MANUFACTURE,
8 DISTRIBUTION, SALE, AND TESTING OF RETAIL MARIJUANA AND FOR THE
9 ENFORCEMENT OF THIS ARTICLE; AND PROMULGATE AMENDED RULES AND
10 SUCH SPECIAL RULINGS AND FINDINGS AS NECESSARY;"

11 Page 33, line 14, strike "WITH RESPECT TO A SECOND OR".

12 Page 33, strike lines 15 through 18.

13 Page 39, after line 19 insert:

14 "(c) (I) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF
15 THIS SUBSECTION (1), ON AND BEFORE SEPTEMBER 30, 2014, A RETAIL
16 MARIJUANA STORE LICENSEE SHALL ONLY SELL RETAIL MARIJUANA GROWN
17 IN ITS RETAIL MARIJUANA CULTIVATION FACILITY LICENSED PURSUANT TO
18 SECTION 12-43.4-403.

19 (II) NOTWITHSTANDING THE REQUIREMENTS OF PARAGRAPH (b)
20 OF THIS SUBSECTION (1) TO THE CONTRARY, A RETAIL MARIJUANA STORE
21 MAY PURCHASE NOT MORE THAN THIRTY PERCENT OF ITS TOTAL ON-HAND
22 INVENTORY OF RETAIL MARIJUANA FROM ANOTHER LICENSED RETAIL
23 MARIJUANA STORE OR ANOTHER RETAIL MARIJUANA CULTIVATION
24 FACILITY IN COLORADO. A RETAIL MARIJUANA STORE OR ANOTHER RETAIL
25 MARIJUANA CULTIVATION FACILITY MAY SELL NO MORE THAN THIRTY
26 PERCENT OF ITS TOTAL ON-HAND INVENTORY TO ANOTHER COLORADO
27 LICENSED RETAIL MARIJUANA STORE; EXCEPT THAT THE DIRECTOR OF THE
28 STATE LICENSING AUTHORITY MAY GRANT A TEMPORARY WAIVER:

29 (A) TO A RETAIL MARIJUANA STORE OR APPLICANT IF THE RETAIL
30 MARIJUANA STORE OR APPLICANT SUFFERS A CATASTROPHIC EVENT
31 RELATED TO ITS INVENTORY; OR

32 (B) TO A NEW RETAIL MARIJUANA STORE LICENSEE FOR A PERIOD
33 NOT TO EXCEED NINETY DAYS SO THE NEW LICENSEE CAN CULTIVATE THE
34 NECESSARY RETAIL MARIJUANA TO COMPLY WITH THIS PARAGRAPH (c).

35 (III) THE RETAIL MARIJUANA STORE SHALL TRACK ALL OF ITS

1 RETAIL MARIJUANA FROM THE POINT THAT IT IS TRANSFERRED FROM A
2 RETAIL MARIJUANA CULTIVATION FACILITY TO THE POINT OF SALE.

3 (IV) THIS PARAGRAPH (c) IS REPEALED, EFFECTIVE JANUARY 1,
4 2015."

5 Reletter succeeding paragraph accordingly.

6 Page 41, after line 24 insert:

7 "(2) (a) NOTWITHSTANDING THE PROVISIONS OF SUBSECTION (1)
8 OF THIS SECTION, ON AND BEFORE SEPTEMBER 30, 2014, A RETAIL
9 MARIJUANA CULTIVATION FACILITY LICENSE MAY BE ISSUED ONLY TO A
10 PERSON WHO HOLDS A RETAIL MARIJUANA STORE LICENSE PURSUANT TO
11 SECTION 12-43.4-402 OR A RETAIL MARIJUANA PRODUCTS
12 MANUFACTURING LICENSE PURSUANT TO SECTION 12-43.3-404 AND WHO
13 GROWS AND CULTIVATES RETAIL MARIJUANA AT AN ADDITIONAL LICENSED
14 PREMISES CONTIGUOUS OR NOT CONTIGUOUS WITH THE LICENSED
15 PREMISES OF THE PERSON'S RETAIL MARIJUANA STORE OR THE PERSON'S
16 RETAIL MARIJUANA PRODUCTS MANUFACTURING FACILITY.

17 (b) ON AND BEFORE SEPTEMBER 30, 2014, A RETAIL MARIJUANA
18 CULTIVATION FACILITY LICENSEE SHALL ONLY TRANSFER RETAIL
19 MARIJUANA TO ITS RETAIL MARIJUANA STORE OR RETAIL MARIJUANA
20 PRODUCTS MANUFACTURER.

21 (c) NOTWITHSTANDING THE PROVISIONS OF PARAGRAPH (b) OF
22 THIS SUBSECTION (2), A RETAIL MARIJUANA CULTIVATION FACILITY
23 LICENSEE MAY SELL NO MORE THAN THIRTY PERCENT OF ITS INVENTORY
24 TO ANOTHER RETAIL MARIJUANA STORE OR RETAIL MARIJUANA PRODUCTS
25 MANUFACTURER.

26 (d) RETAIL MARIJUANA CULTIVATION FACILITY LICENSES MAY BE
27 COMBINED IN A COMMON AREA SOLELY FOR THE PURPOSES OF GROWING
28 AND CULTIVATING RETAIL MARIJUANA AND USED TO PROVIDE RETAIL
29 MARIJUANA TO MORE THAN ONE LICENSED RETAIL MARIJUANA STORE OR
30 LICENSED RETAIL MARIJUANA PRODUCTS MANUFACTURERS SO LONG AS THE
31 HOLDER OF THE RETAIL MARIJUANA CULTIVATION LICENSE IS ALSO A
32 COMMON OWNER OF EACH LICENSED RETAIL MARIJUANA STORE OR
33 LICENSED RETAIL MARIJUANA PRODUCTS MANUFACTURER TO WHICH
34 RETAIL MARIJUANA IS PROVIDED. IN ACCORDANCE WITH PROMULGATED
35 RULES RELATING TO PLANT AND PRODUCT TRACKING REQUIREMENTS,
36 EACH RETAIL MARIJUANA CULTIVATION LICENSEE SHALL SUPPLY RETAIL
37 MARIJUANA ONLY TO ITS ASSOCIATED LICENSED RETAIL MARIJUANA
38 STORES OR LICENSED RETAIL MARIJUANA PRODUCTS MANUFACTURERS.

39 (e) THIS SUBSECTION (2) IS REPEALED, EFFECTIVE JANUARY 1,

1 2015."

2 Renumber succeeding subsections accordingly.

3 Page 42, line 14, after "FACILITY." insert "A RETAIL MARIJUANA
4 PRODUCTS MANUFACTURER LICENSEE THAT HAS A RETAIL MARIJUANA
5 CULTIVATION FACILITY LICENSE SHALL NOT SELL ANY OF THE RETAIL
6 MARIJUANA THAT IT CULTIVATES EXCEPT FOR THE RETAIL MARIJUANA
7 THAT IS CONTAINED IN ITS RETAIL MARIJUANA PRODUCTS.

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